

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5661 of 2022

Prashant Kumar Son of Late Chandeshwar Singh Resident of Bharti Bhawan,
Thana Road Mahrajganj, P.S.-Mahrajganj, District-Siwan.

... .. Petitioner/s

Versus

1. The Union of India through the Ministry of Finance, Government of India, New Delhi.
2. The Secretary Department of Finance, Government of India, New Delhi.
3. The Punjab National Bank through its Chief General Officer,7, Bhikhaiji Cama Place, New Delhi-110607.
4. The Zignal Manager, Punjab National Bank, Zonal Office, Birchand Patel Marg, Patna.
5. The Senior Branch Manager, Punjab National Bank, Mahrajganj Branch, District-Siwan.
6. The Oriental Insurance Company Limited through its Chief General Manager, Registered Office Oriental House P.B. No. 7037, A25/27, Asaf Ali Road, New Delhi-110002.
7. The Senior Divisional Manager, D.O.-3 (Code No. 272200), Oriental Insurance Company Limited, 4E/40, Ajad Bhawan, Jhandewalan Extn. New Delhi 55
8. The Regional Manager Oriental Insurance Company Limited, Kadam Kuan, Patna.
9. The State of Bihar through the Additional Chief Secretary, Department of Home (Police), Government of Bihar, Patna.
10. The Director, Forensic Science Laboratory, Bailey Road, Patna.
11. The In-charge Director, Regional Forensic Science Laboratory, District-Muzaffarpur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar Singh, Advocate
For the Respondent/s	:	Dr. K.N. Singh, ASG
		Mr. Kumar Priya Ranjan, Advocate
		Mr. Pallav, Advocate
		Mr. Manish Kumar, GP-4
		Mr. Abhay Shankar Jha, Advocate
		Mr. Ashok Priyadarshi, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)



Date : 19-05-2022

Heard learned counsel for the parties.

Petitioner has prayed for the following relief(s):-

- i) To issue a writ of mandamus, commanding and directing Respondents concerned, particularly, the Respondent Punjab National Bank and Oriental Insurance Company Limited to pay the insurance amount of deceased father namely Late Chandeshwar Singh to the petitioner who has taken insurance under Pradhanmantri Insurance Scheme ('PMSY') and was killed by some unknown miscreants on 25.11.2019 while he was going to deposit the money in HDFC Bank, Maharajganj Branch for which Maharajganj P.S. Case No. 304/2019 dated 25.11.2019 was lodged and the police after conducting thorough investigation submitted charge-sheet in the said case but the Respondent authority are sitting tight over the claim of the petitioner since 2019 despite submitting all the required documents by the petitioner for granting him said insurance benefit and not only that even said claim of petitioner has been rejected on the ground that he has not submitted FSL Report, as communicated vide letter dated 11.02.2022 by Respondent No.5 ignoring that the FSL Report is not a public document and same has not been made available to any private person.



- ii) To issue a writ in the nature of certiorari setting aside the letter dated 11.02.2022 by which claim of the petitioner to pay him insurance amount of his deceased father being Nominee, has illegally been rejected as communicated by the Respondent No.3, the Senior Branch Manager, Punjab National Bank, Maharajganj Branch, District- Siwan.
- C) And/or any other relief/reliefs which this Hon'ble Court may think fit and proper in the facts and circumstances of this case.

After the matter was heard for some time, finding the Court not to be in favour with the submissions made across the Bar, learned counsel for the petitioner, under instructions, states that the petitioner shall be content if the petitioner is permitted to withdraw the present petition reserving liberty to initiate appropriate proceedings before the appropriate forum, including the Ombudsman and/or take recourse to such other alternative remedies, equally efficacious in law.

Permission granted.

We are sure that as and when any such



proceedings are initiated, the same shall be considered and decided in accordance with law.

Needless to add, the authorities/adjudicative body shall pass a reasoned order in accordance with law.

It is made clear that we have not expressed any opinion on merits. All issues are left open.

The petition stands disposed of as withdrawn with the liberty aforesaid.

Interlocutory Application(s), if any, shall stand disposed of.

(Sanjay Karol, CJ)

(Satyavrat Verma, J)

Amrendra/PKP

AFR/NAFR	
CAV DATE	
Uploading Date	20.05.2022
Transmission Date	

